



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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May 3, 1996

CERTIFIED RETURN RECEIPT
P 074 978 981

Lanny Jensen
509 South 10 West
Richfield, Utah 84701

Re: Site Inspection, Cream Project, S/039/009, Sanpete County, Utah

Dear Mr. Jensen:

On May 1, 1996, I stopped by your Cream quarry south of Mayfield Utah, to inspect the site. During this inspection (inspection memo attached), it was noted that you have currently disturbed approximately 2 acres. After checking the permitting status of our mine file records for this operation, we find that you may be operating this quarry in violation of the law. The Utah Mined Land Reclamation Act, Title 40-8-13, Utah Code Annotated (as amended 1987), requires an operator to file a *complete* notice of intention with this office before mining operations begin. On February 23, 1996, you filed a Notice with the Division which was determined to be incomplete. By letter dated February 26, 1996, we advised you of the deficiencies (copy attached). To date, we have not received a response.

Your February 1996 notice, requested no variances to the operational or reclamation practices performance standards. Rule R647-3-107.5 requires suitable soil materials to be removed and stored in a stable condition so as to be available for reclamation. Based upon observations made during my site inspection, it appeared that this was not done.

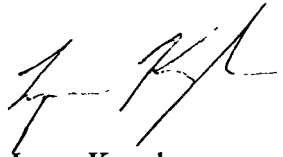
Your notice indicated that your quarry is located in the SE/4 of the SW/4 of the SW/4 of Section 8, Township 20 South, Range 2 East, SLBM. This, according to the USGS Mayfield Quadrangle map, is about 2.4 miles south of Mayfield, Utah. Your quarry appears to be located over 3 miles south of Mayfield. Would you please double check and verify the location of your quarry (township, range and section) then notify us of any necessary corrections.



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Please respond to the previously noted deficiencies and this letter by May 17, 1996. Your failure to respond in a timely manner may force the Division to pursue enforcement action that could lead to a termination of mining operations on this property. Please feel free to give me a call to discuss any of these issues if you need further clarification.

Sincerely,

A handwritten signature in black ink, appearing to be 'L. Kunzler', written over a horizontal line.

Lynn Kunzler
Reclamation Specialist

jb
Attachments: 2/26/96 letter & 5/3/96 field inspection memo
cc: Wayne Hedberg, DOGM
S039009.let